

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO SENTENCING MINUTE SHEET										
CR No:	<b>18-3409 KG</b>		USA vs.:	<b>GONZALEZ-SEBASTIAN, ET AL.</b>						
Date:	<b>3/26/2019</b>		Name of Deft:	<b>TOMAS FELICIANO FRANCISCO-PEDRO</b>						
Before the Honorable:		<b>KENNETH J. GONZALES, UNITED STATES DISTRICT JUDGE</b>								
Time In/Out:	<b>8:59-9:23 AM</b>			Total Time in Court (for JS10):		<b>24 MINUTES</b>				
Clerk:	<b>YVONNE CORONADO</b>			Court Reporter:		<b>DANNA SCHUTTE EVERETT</b>				
AUSA:	<b>LUIS MARTINEZ</b>			Defendant's Counsel:		<b>ANDRE POISSANT</b>				
Sentencing in:	<b>LAS CRUCES</b>			Interpreter:		<b>EDITH MONROY</b>				
Probation Officer:	<b>RHIANNON WORK</b>			Sworn?		<input checked="" type="checkbox"/>	Yes		No	
Convicted on:	<input checked="" type="checkbox"/>	Plea		Verdict	As to:		<input checked="" type="checkbox"/>	Information		Indictment
If Plea:	<input checked="" type="checkbox"/>	Accepted		Not Accepted	Adjudged/Found Guilty on Counts:					
If Plea Agreement:	<input checked="" type="checkbox"/>	Accepted		Not Accepted		No Plea Agreement	Comments:			
Date of Plea/Verdict:	<b>1/8/2019</b>			PSR:		<input checked="" type="checkbox"/>	Not Disputed		Disputed	
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:		<input checked="" type="checkbox"/>	Not Needed		Needed
Exceptions to PSR:	<b>COURT VARIES; PAGE 2 CORRECTION TO DOB; PAGE 6, PARAGRAPH 39 CORRECTION TO SPELLING OF HOMETOWN AND PAGE 7, PARAGRAPH 44, EDUCATION WAS IN GUATEMALA NOT MEXICO</b>									
<b>SENTENCE IMPOSED</b>			Imprisonment (BOP): <b>244 DAYS OR TIME SERVED, WHICHEVER IS LESS</b>							
Supervised Release:	<b>1 YEAR UNSUPERVISED RELEASE</b>			Probation:						
	500-HOUR DRUG PROGRAM			BOP SEX OFFENDER PROGRAM			OTHER:			
<input checked="" type="checkbox"/>	Court recommends ICE begin removal proceedings immediately or during service of sentence								ICE not applicable	
<b>SPECIAL CONDITIONS OF SUPERVISION</b>										
<input checked="" type="checkbox"/>	No re-entry without legal authorization				Home confinement for ____ months ____ days					
	Comply with ICE laws and regulations				Community service for ____ months ____ days					
	Participate in/successfully complete subst abuse program/testing				Reside halfway house ____ months ____ days					
	Participate in/successfully complete mental health program				Register as sex offender					
	Refrain from use/possession of alcohol/intoxicants				Participate in sex offender treatment program					
	Submit to search of person/property				Possess no sexual material					
	No contact with victim(s) and/or co-deft(s)/co-conspirator(s)				No computer with access to online services					
<b>OTHER:</b>										
Fine: \$				Restitution: \$						
SPA: \$	<b>WAIVED</b> (\$100) as to each Count			Payment Schedule:		<input checked="" type="checkbox"/>	Due Imm.	<input checked="" type="checkbox"/>	Waived	
OTHER:	The defendant is subject to the provisions of the Justice for Victims of Trafficking Act of 2015, which requires the Court to assess an amount of \$5,000 on any non-indigent person or entity convicted of an offense under 18 U.S.C. Chapters 77, 109A, 110, 117; or Section 274 of the Immigration and Nationality Act (8 U.S.C. § 1324). The Court finds the defendant is indigent and will not be required to pay the \$5,000 assessment.									
	Advised of Right to Appeal	<input checked="" type="checkbox"/>	Waived Appeal Rights per Plea Agreement							
<input checked="" type="checkbox"/>	Held in Custody		Voluntary Surrender							
	Recommended place(s) of incarceration:									
	Dismissed Counts:									
OTHER COMMENTS:			DEFENSE COUNSEL STATES A SENTENCE <b>244 DAYS</b> TO BE APPROPRIATE, IN THE ALTERNATIVE WOULD ASK FOR <b>12 MONTHS AND 1 DAY</b> . GOVERNMENT RECOMMENDS <b>12 MONTHS AND 1 DAY</b> , HOWEVER, DOES NOT OBJECT TO A TIME SERVED SENTENCE. GOVERNMENT MAKES ORAL MOTION TO DISMISS INDICTMENT. COURT GRANTS ORAL MOTION; COUNSEL TO FILE A MOTION AND ORDER WITH THE COURT. DEFENDANT ALLOCUTES							